

Notice of Allowability	Application No.	Applicant(s)	
	10/802,465	PASSALAUQUA, ANTHONY M.	
	Examiner	Art Unit	
	Faye Polyzos	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to submission on 1 February 2005.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 17 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

RESPONSE TO AMENDMENT

Comment on Submissions

1. This communication is responsive to submission of 1 February 2005.

Allowable Subject Matter

2. Claims 1-22 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the prior art does not disclose or fairly suggest a method of creating an image of a radiation source comprising: processing data corresponding to the radiation associated with only a first location, after the detection of radiation associated with a first location of the radiation source, to provide a first value and to employ the first value to generate a first portion of an image associated with the first location and processing data corresponding to radiation associated with only a second location to provide a second value and employing the second value to generate a second portion of the image associated with the second location.

The examiner notes that while it is known in the art for a gamma ray imaging system to derive the intensity of all the virtual pixels after all the measurements are taken (See for example Shahar et al – US 5,847,398 A -- at Figs. 1A-2B and col. 13, lines 29-40), the prior art does not fairly suggest processing and employing only a first location and value of an image associated with the first location and processing and employing only a second location and value of an image to generate a second portion of the image associated with the second location.

Regarding independent claim 13, the prior art does not disclose or fairly suggest a system for creating an image of a radiation source comprising: an aggregator for aggregating data corresponding to radiation associated with only a first location of the radiation source to provide a first value as well as aggregating data corresponding to radiation associated with only a second location of the radiation source to provide a second value as described supra.

The examiner notes that while it is known in the art for a gamma ray imaging system to derive the intensity of each of the virtual pixels mathematically or numerically (See for example Shahar et al – US 5,847,398 A -- col. 14, lines 29-40), the prior art does not fairly suggest an aggregation of data corresponding to radiation associated with only a first location of a radiation source to provide a first value and the same note is applied regarding aggregating the radiation to provide a second value, as described supra.

4. The remaining claims are allowable based on their dependency.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Polyzos whose telephone number is 571-272-


Art Unit: 2878

2447. The examiner can normally be reached on Monday thru Friday from 7:30 AM to 4:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FP


DAVID PORTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800